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Holly D. Keylough

**PATENT**  
10806-48a

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicants: Gunnar Norstedt et al : Paper No.

Serial No.: 08/963,288 : Group Art Unit: 1632

Filed: November 3, 1997 : Examiner: A. Baker

For: **Improvement of an Expression Vector for Production of Recombinant Proteins**

Box CPA  
Assistant Commissioner for Patents  
Washington, D. C. 20231

**PRELIMINARY AMENDMENT**

Dear Sir:

In response to the Official Action dated November 22, 2000 and the Advisory Action date April 23, 2001, please amend the present application as follows:

**In the Claims:**

Please cancel claims 51 and 54.

Please amend claims 1, 5, 8, 10, 19, 23, 27, 30, 31, 34, 44 and 46-50 to read as

follows:

- Solo H1 >* 1. (Fifth Amendment) An in vitro method of enhancing the transcription of a gene in a DNA construct when the DNA construct is incorporated into the genome of a eukaryotic host cell, said DNA construct comprising a structural gene for a desired protein or polypeptide and a gene promoter upstream of the structural gene, the method comprising the steps of: